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Practitioner's Docket No. A31-2047RE

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: RE39,152

Issued.: June 27, 2006

Name of Patentee: Gilbert M. Aust et al

Title of Invention: SURGICAL INSTRUMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

ATTENTION: Decision and Certificate of Correction
Branch of the Patent Issue Division

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 C.F.R. § 1.322(a))

1. Attached, in duplicate, is PTO/SB/44 (also Form PTO-1 050), with at least one copy being suitable for printing.

NOTE: Form PTO-1050, using the column and line number in the printed patent, should be used exclusively regardless of the length or complexity of the subject matter. M.P.E.P. § 1485, 6th ed., rev. 3.

NOTE: The patent grant should be retained by the patentee. The PTO does not attach the certificate of correction to the patentee's copy of the patent. The patent grant will be returned to the patentee if submitted. M.P.E.P. § 1485, 6th ed., rev. 3.

2. The errors are shown correctly in the application file at the following locations:

Original Patent Number: 5,540,706

Column 9, line 32
Column 9, line 34
Column 9, line 42
Column 9, line 63
Column 11 line 1
Column 11, line 21

Certificate
FEB 12 2007
of Correction

NOTE: This information should be identified in this request, however, on Form PTO-1050, only the column and line number in the printed patent should be used. M.P.E.P. § 1485.

(Request for Certificate of Correction of Patent for PTO Mistake [14-1]--Page 1 of 1

FEB 12 2007

Name: James L. Tarolli

(complete if applicable)

OR

James J. Tussell
Signature of assignee or person authorized to
sign on behalf of assignee

James L. Tarolli Reg. No. 36,029
(type or print name of authorized person signing)

Frame:

Attorney of Record
Title of authorized person signing

☐ Attached is a "Statement Under 37 CFR 3.73(b)," establishing the right of the assignee to take action in this case.

NOTE: "A certificate of correction, under 35 U.S.C. 254, may be issued at the request of the patentee or [the patentee's] assignee." 37 C.F.R. § 1.322(a). The certificate of correction can be signed by the attorney of record who acts on behalf of the inventor(s) or assignee(s).

(Request for Certificate of Correction of Patent for PTO Mistake !14-1)--Page 2 of 2)

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UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. RE39,152

Issued.: June 27, 2006

Name of Patentee: Gilbert M. Aust

It is certified that error appears in the above-identified patent and that said Letters Patent
is hereby corrected as shown below:

Column 9, line 33, before "from" delete "time" and insert --tissue--.
Column 9, line 41, after "elongated" delete "dements" and insert --elements--.
Column 9, line 42, after "portion" delete "or" and insert --of--.
Column 9, line 55, after "articulated" delete "station" and insert --section--.
Column 9, line 63, before "from" delete "time" and insert --tissue--.
Column 11, line 5, after "said" delete "cuter" and insert --cutter--.
Column 11, line 30, after "means" delete "a".

MAILING ADDRESS OF SENDER:

PATENT NO. RE39,152

Tarolli, Sundheim, Covell, & Tummino, LLP
1300 East Ninth Street Suite 1700
Cleveland, OH 44114

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This Collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

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